

Office of Regulatory Management  
Economic Review Form

<b>Agency name</b>	Department of Elections
<b>Virginia Administrative Code (VAC) Chapter citation(s)</b>	1VAC20-60-80
<b>VAC Chapter title(s)</b>	Election Administration
<b>Action title</b>	Request for a risk-limiting audit for a contested race within a jurisdiction
<b>Date this document prepared</b>	September 5, 2022

**Cost Benefit Analysis**

Table 1a must be completed for all actions. Tables 1b and 1c must be completed for actions (or portions thereof) where the agency is exercising discretion, including those where some of the changes are mandated by state or federal law or regulation. Tables 1b and 1c are not needed if **all** changes are mandated, and the agency is not exercising any discretion. In that case, enter a statement to that effect.

- (1) Direct Costs & Benefits: Identify all specific, direct economic impacts (costs and/or benefits), anticipated to result from the regulatory change. (A direct impact is one that affects entities regulated by the agency and which directly results from the regulatory change itself, without any intervening steps or effects. For example, the direct impact of a regulatory fee change is the change in costs for these regulated entities.) When describing a particular economic impact, specify which new requirement or change in requirement creates the anticipated economic impact. Keep in mind that this is the proposed change versus the status quo. One bullet has been provided, add additional bullets as needed.
- (2) Quantitative Factors:
  - (a) Enter estimated dollar value of total (overall) direct costs described above.
  - (b) Enter estimated dollar value of total (overall) direct benefits described above.
  - (c) Enter the present value of the direct costs based on the worksheet.
  - (d) Enter the present value of the direct benefits based on the worksheet.
- (3) Benefits-Costs Ratio: Calculate d divided by c OR enter it from the worksheet.
- (4) Net Benefit: Calculate d minus c OR enter it from the worksheet.
- (5) Indirect Costs & Benefits: Identify all specific, indirect economic impacts (costs and/or benefits), anticipated to result from the regulatory change. (An indirect impact is one that results from responses to the regulatory change, but which are not directly required by the regulation. Indirect impacts of a regulatory fee change on regulated entities could include a change in the prices they charge, changes in their operating procedures or employment levels, or decisions to enter or exit the regulated profession or market. Indirect impacts also include responses by other entities that have close economic ties to the regulated entities, such as suppliers or partners.) If there are no indirect costs or benefits, include a specific statement to that effect.

- (6) Information Sources: Describe the sources of information used to determine the benefits and costs, including the source of the Quantitative Factors. If dollar amounts are not available, indicate why they are not.
- (7) Optional: Use this space to add any further information regarding the data provided in this table, including calculations, qualitative assessments, etc.

**Table 1a: Costs and Benefits of the Proposed Changes (Primary Option)**

(1) Direct Costs & Benefits	<ul style="list-style-type: none"> <li><b>This regulatory action indicates the process required for a local electoral board to request the approval of a risk-limiting audit for a contested race in their jurisdiction.</b></li> </ul> <p>Direct Costs: There are no direct costs associated with this regulatory action.</p> <p>Direct Benefits: There are no monetary benefits associated with this regulatory action.</p>		
(2) Quantitative Factors	Estimated Dollar Amount	Present Value	
Direct Costs	(a) 0.00	(c) 0.00	
Direct Benefits	(b) 0.00	(d) 0.00	
(3) Benefits-Costs Ratio		(4) Net Benefit	0.00
(5) Indirect Costs & Benefits	<p>The local electoral board may require an extension of their certification deadline, which would change their traditional process and procedures in order to conduct a risk-limiting audit for the contested race. Additionally, local electoral boards may have to hire officers of election to serve on their audit boards if current staff or representatives are not available. The cost can be on average \$150 a person, making it a total of \$300 on average for two. Smaller localities may pay less and larger localities may pay more.</p>		
(6) Information Sources	<p>ELECT staff, two general registrars, and a previous electoral board member.</p>		
(7) Optional			

**Table 1b: Costs and Benefits under the Status Quo (No change to the regulation)**

*This table addresses current requirements and the implications of not making any changes. In other words, describe the costs and benefits of maintaining the current regulatory requirements as is.*

(1) Direct Costs & Benefits	<ul style="list-style-type: none"> <li><b>All changes to this regulation are mandated by Acts of Assembly Chapter 443, from the 2022 Session of the General Assembly.</b></li> </ul>	
(2) Quantitative Factors	Estimated Dollar Amount	Present Value
Direct Costs	(a)	(c)
Direct Benefits	(b)	(d)
(3) Benefits-Costs Ratio		(4) Net Benefit
(5) Indirect Costs & Benefits		
(6) Information Sources		
(7) Optional		

**Table 1c: Costs and Benefits under an Alternative Approach**

*This table addresses an alternative approach to accomplishing the objectives with different requirements. These alternative approaches may include the use of reasonably available alternatives in lieu of regulation, or information disclosure requirements or performance standards instead of regulatory mandates.*

(1) Direct Costs & Benefits	<ul style="list-style-type: none"> <li><b>All changes to this regulation are mandated by Acts of Assembly Chapter 443, from the 2022 Session of the General Assembly.</b></li> </ul>	
(2) Quantitative Factors	Estimated Dollar Amount	Present Value
Direct Costs	(a)	(c)

Direct Benefits	(b)	(d)
(3) Benefits-Costs Ratio		(4) Net Benefit
(5) Indirect Costs & Benefits		
(6) Information Sources		
(7) Optional		

**Impact on Local Partners**

- (1) Describe the direct costs and benefits (as defined on page 1) for local partners in terms of real monetary costs and FTEs. Local partners include local or tribal governments, school divisions, or other local or regional authorities, boards, or commissions. If local partners are not affected, include a specific statement to that effect and a brief explanation of the rationale.
- (2) Quantitative Factors:
  - (a) Enter estimated dollar value of total (overall) direct costs described above.
  - (b) Enter estimated dollar value of total (overall) direct benefits described above.
- (3) Indirect Costs & Benefits: Describe any indirect benefits and costs (as defined on page 1) for local partners that are associated with all significant changes. If there are no indirect costs or benefits, include a specific statement to that effect.
- (4) Information Sources: describe the sources of information used to determine the benefits and costs, including the source of the Quantitative Factors. If dollar amounts are not available, indicate why they are not.
- (5) Assistance: Identify the amount and source of assistance provided for compliance in both funding and training or other technical implementation assistance.
- (6) Optional: Use this space to add any further information regarding the data provided in this table, including calculations, qualitative assessments, etc.

Note: If any of the above information was included in Table 1, use the same information here.

**Table 2: Impact on Local Partners**

(1) Direct Costs & Benefits	<ul style="list-style-type: none"> <li>• This regulatory action impacts local electoral boards that request to conduct a risk-limiting audit of a contested race. There is a direct cost only if the local electoral board cannot utilize an existing staff member or party representative to serve on the audit board and must hire an officer of election(s).</li> </ul>
-----------------------------	--

(2) Quantitative Factors	Estimated Dollar Amount
Direct Costs	(a) \$300.00 on average
Direct Benefits	(b) N/A
(3) Indirect Costs & Benefits	The local electoral board may require an extension of their certification deadline, which would change their traditional process and procedures in order to conduct a risk-limiting audit for the contested race.
(4) Information Sources	ELECT staff, two general registrars, and a previous electoral board member.
(5) Assistance	Assistance would be provided by the Department of Elections as necessary to conduct the risk-limiting audit. However, localities already conduct risk-limiting audits and this regulation does not change that process. This regulatory action only permits an additional risk-limiting audit upon request and approval for a contested race.
(6) Optional	Smaller localities may pay less and larger localities may pay more. There is no guaranteed cost associated as some localities may be able to conduct an RLA with current staff and not need to hire officers of election.

**Economic Impacts on Families**

- (1) Describe the direct costs and benefits (as defined on page 1) to a typical family of three (average family size in Virginia according to the U. S. Census) arising from any proposed regulatory changes that would affect the costs of food, energy, housing, transportation, healthcare, and education. If families are not affected, include a specific statement to that effect and a brief explanation of the rationale.
- (2) Quantitative Factors:
  - (a) Enter estimated dollar value of direct costs.
  - (b) Enter estimated dollar value of direct benefits.
- (3) Indirect Costs & Benefits: Describe any indirect costs and benefits (as defined on page 1) to a typical family of three that are most likely to result from the proposed changes.
- (4) Information Sources: describe the sources of information used to determine the benefits and costs, including the source of the Quantitative Factors. If dollar amounts are not available, indicate why not.
- (5) Optional: Use this space to add any further information regarding the data provided in this table, including calculations, qualitative assessments, etc.

Note: If any of the above information was included in Table 1, use the same information here.

**Table 3: Impact on Families**

(1) Direct Costs & Benefits	<ul style="list-style-type: none"> <li>There are no direct costs and/or benefits to families arising from this regulatory action. Families may have to wait for the results from a contested race, but this regulatory action does not impact their voting process.</li> </ul>
(2) Quantitative Factors	Estimated Dollar Amount
Direct Costs	(a) 0.00
Direct Benefits	(b) 0.00
(3) Indirect Costs & Benefits	There are no indirect costs and/or benefits.
(4) Information Sources	Dollar amounts are not available as this does not impact families beyond a potential delay in official election results from a contested office. The Department of Elections staff serve as the information source.
(5) Optional	

**Impacts on Small Businesses**

- (1) Describe the direct costs and benefits (as defined on page 1) for small businesses. For purposes of this analysis, “small business” means the same as that term is defined in § 2.2-4007.1. If small businesses are not affected, include a specific statement to that effect and a brief explanation of the rationale.
- (2) Quantitative Factors:
  - (a) Enter estimated dollar value of direct costs.
  - (b) Enter estimated dollar value of direct benefits.
- (3) Indirect Costs & Benefits: Describe the indirect benefits and costs (as defined on page 1) for small businesses that are most likely to result from the proposed changes.
- (4) Alternatives: Add a qualitative discussion of any equally effective alternatives that would make the regulatory burden on small business more equitable compared to other affected business sectors, and how those alternatives were identified.
- (5) Information Sources: describe the sources of information used to determine the benefits and costs, including the source of the Quantitative Factors. If dollar amounts are not available, indicate why not.
- (6) Optional: Use this space to add any further information regarding the data provided in this table, including calculations, qualitative assessments, etc.

Note: If any of the above information was included in Table 1, use the same information here.

**Table 4: Impact on Small Businesses**

(1) Direct Costs & Benefits	There are no direct costs and/or benefits to small businesses arising from this regulatory action. Small businesses are not impacted or involved in the risk-limiting audit process.
(2) Quantitative Factors	Estimated Dollar Amount
Direct Costs	(a) 0.00
Direct Benefits	(b) 0.00
(3) Indirect Costs & Benefits	There are no estimated indirect costs & benefits as a result of this regulatory action.
(4) Alternatives	There are no alternatives to this regulatory action.
(5) Information Sources	Dollar amounts are not available as this does not impact small businesses. The Department of Elections staff serve as the information source.
(6) Optional	

**Changes to Number of Regulatory Requirements**

*For each individual VAC Chapter amended, repealed, or promulgated by this regulatory action, list (a) the initial requirement count, (b) the count of requirements that this regulatory package is adding, (c) the count of requirements that this regulatory package is reducing, (d) the net change in the number of requirements. This count should be based upon the text as written when this stage was presented for executive branch review. Five rows have been provided, add or delete rows as needed.*

**Table 5: Total Number of Requirements**

Chapter number	Number of Requirements			
	Initial Count	Additions	Subtractions	Net Change
60	20	8	0	+8
